

ZB# 02-25

Darryl Dreyer

73-3-3

#02-25

Dreyer, Darryl

73-3-3

Oxford[®]

⊗ ESSELTE

MADE IN U.S.A.

NO. 753 1/3

Prelim

April 22, 2002

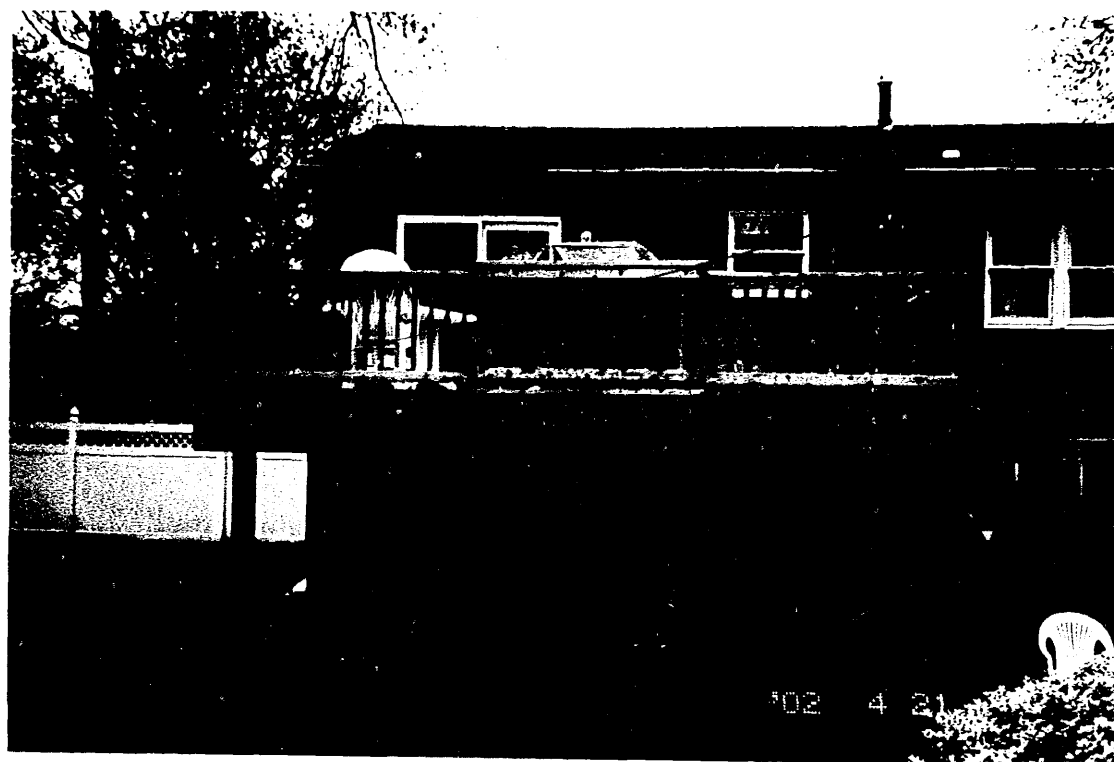
(Applicant has)

Public Hearing:

May 13, 2002.

Approved

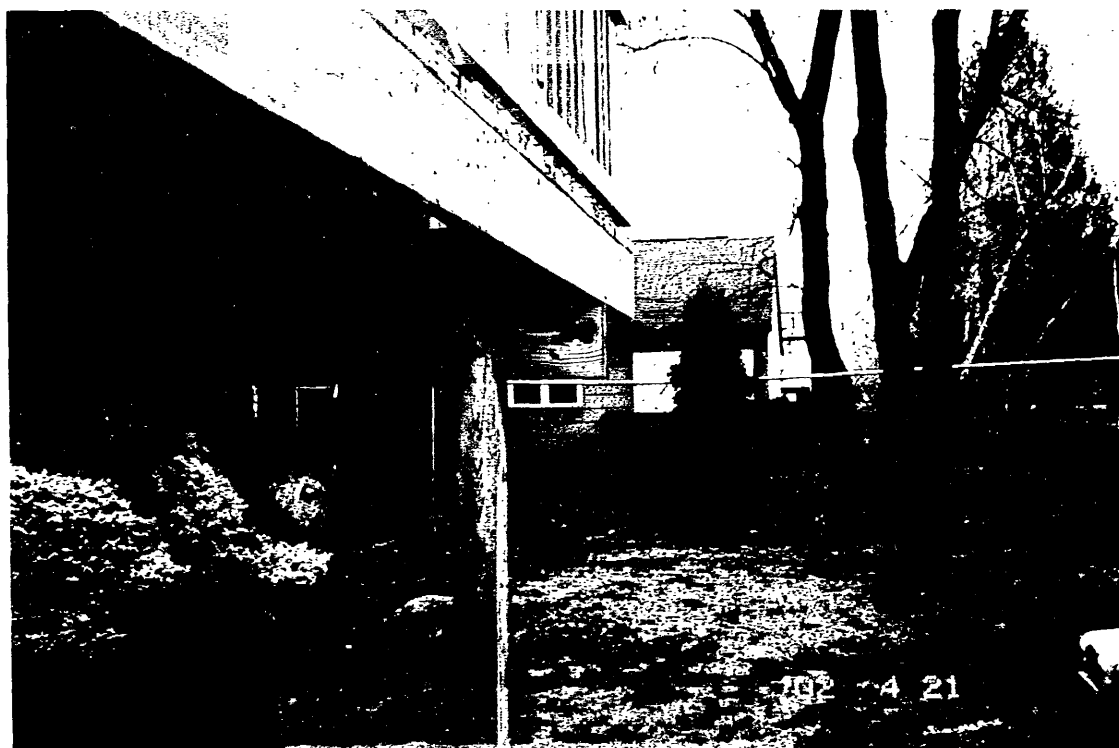
Refund \$20750



Darryl Dreyer

Darryl Dreyer







APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Dreyer, Darryl

FILE# 02-25

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 4/22/02-3 \$ 13.50
2ND PRELIMINARY- PER PAGE 5/13/02-2 \$ 9.00
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 22.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 4/22/02 \$ 35.00
2ND PRELIM. 5/13/02 \$
3RD PRELIM. \$
PUBLIC HEARING. 5/13/02 \$ 35.00
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 92.50

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 207.50

*paid ck # 3589
4/25/02
paid ck # 3588*

DATE		CLAIMED	ALLOWED
	Refund of Escrow Deposit	207 50	
	# 02-25		
	B. Meyer		

50-7879/2219

3589

DARRYL J. DREYER
 SARAH R. DREYER
 353 NINA ST. 914-569-9174
 NEW WINDSOR, NY 12553

Date 4-25-02Pay To
The Order Of

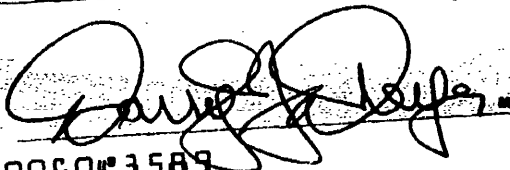
Town of New Windsor

\$ 50.00

Fifty and 00/100

Dollars

HUDSON HERITAGE FEDERAL CREDIT UNION
 NEWBURGH, NEW YORK 12550



for #2BA 02-25.

⑆22197879⑆12580054050060⑆3589

TO REQUESTER 1-800-204-2244 • www.Check21.com

50-7879/2219

3588

DARRYL J. DREYER
 SARAH R. DREYER
 353 NINA ST. 914-569-9174
 NEW WINDSOR, NY 12553

Date 4-25-02Pay To
The Order Of

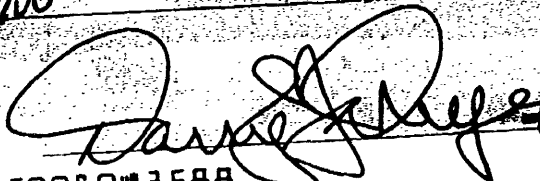
Town of New Windsor

\$ 300.00

Three hundred and 00/100

Dollars

HUDSON HERITAGE FEDERAL CREDIT UNION
 NEWBURGH, NEW YORK 12550



for Escrow Dep #02-25.

⑆22197879⑆12580054050060⑆3588

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#382-2002

04/26/2002

Dreyer, Darryl & Sarah #02-25

Received \$ 50.00 for Zoning Board Fees on 04/26/2002. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

In the Matter of the Application of

DARRYL DREYER

MEMORANDUM
OF DECISION
GRANTING
VARIANCE

#02-25.

WHEREAS, DARRYL DREYER, 353 Nina Street, New Windsor, NY 12553, has made application before the Zoning Board of Appeals for a 6 ft. rear yard variance for an existing deck at the above location, in an R-4 zone; and

WHEREAS, a public hearing was held on the 13th day of May, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property located in a neighborhood of residential properties.

(b) The existing deck was constructed less than a year ago and was a replacement of an earlier, smaller deck.

(d) The deck is consistent in size and appearance to other decks in the neighborhood.

(e) The deck was not constructed on top of any well or septic system, water or sewer easement.

(f) The deck does not create any ponding or collection of water, or create any water hazards or affect the run off or path of water drainage.

(g) No trees or significant vegetation were removed in order to erect the deck.

(h) No complaints either formal or informal were received in connection with the construction of this deck.

(i) Applicant stated that it would be a safety hazard if the deck were not in place at the rear of the residence.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant that can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations, but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The interests of justice will be served by allowing the granting of the requested area variance.

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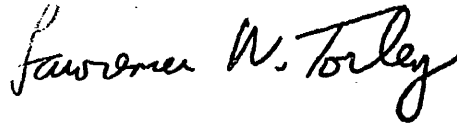
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 6 ft. rear yard variance to allow an existing deck at the above address, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 24, 2002.



Chairman

Date 5/29/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

9.00

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
5/17/02	Zoning Board Mtg		75 00	
	Misc. - 2			
	North Plank Development - 6			
	Colandrea - 3			
	Corbett - 1			
	Denhoff - 5			
	Salomottoff - 5	Lawrence W. Torley		
	House of Apache - 5			
	Preyer - 2			
	Smith - 4			
	Roberts - 3		184 50	
	Trapp - 3			
	Coplan - 2		259 50	

PUBLIC HEARING:

DREYER, DARRYL

MR. TORLEY: Request for 6 ft. rear yard variance for existing rear at 353 Nina Street in R-4 zone.

↓ deck.

Mr. Darryl Dreyer appeared before the board for this proposal.

MS. CORSETTI: It says existing rear, it should say existing rear deck for everybody that happens to pick that up. For the record, we sent out 65 notices to adjacent property owners on April 26th.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter? Let the record show there is none.

MR. DREYER: I would just ask that the zoning board approve my application for the variance. I submitted pictures at the preliminary hearing.

MR. KANE: How long has the deck been in existence?

MR. DREYER: The deck was built less than a year ago, I'd say it's been in existence approximately six to eight months.

MR. TORLEY: Replacement for another deck earlier?

MR. DREYER: Replacement for pre-existing deck that was enlarged slightly and has a barbecue bump-out.

MR. KANE: It would be a safety hazard if the deck wasn't there, walk out the sliding doors?

MR. DREYER: Absolutely.

MR. KANE: Did you create any water hazards or runoffs in the building of this deck?

MR. DREYER: No.

MR. KANE: Cut down any trees?

MR. DREYER: No, sir.

MR. KANE: Is the deck similar to other decks in your neighborhood?

MR. DREYER: Yes, sir.

MR. MC DONALD: Over any septic or easements?

MR. DREYER: No, it's municipal water and sewer.

MR. KANE: Any complaints formally or informally about the deck?

MR. DREYER: No. I did have it reviewed by a structural engineer, Paul Cuomo, who did certify its structural soundness.

MR. TORLEY: I was going to remind you that a variance from the setbacks would not give you any relief from any other building codes.

MR. DREYER: I'm fully prepared on the other needs, right.

MR. REIS: Accept a motion?

MR. TORLEY: Yes.

MR. REIS: I make a motion that we approve Mr. Dreyer's requested variance at 353 Nina Street.

MR. KANE: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE

Pls. publish immediately. Send bill to Applicant

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 25

Request of Darryl J. Dreyer

for a VARIANCE of the Zoning Local Law to Permit:

existing deck has insufficient rear yard

being a VARIANCE of Section 48-12 - Table of Use - Bulk Regulations Column G
for property situated as follows:

353 Nina St. New Windsor, NY 12553

known and designated as tax map Section 73, Blk. 3 Lot 3

PUBLIC HEARING will take place on the 13th day of May,
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

Date 4/24/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
102 N. Drury Lane
New Windsor, N.Y. 12550

DATE			CLAIMED	ALLOWED
4/22/02		Zoning Board Mtg	75.00	
		Misc. 2		
		Westage - 2		
		Dondovan - 3		
		Gastri - 1		
		Smith - 2		
		Dwyer - 3 13.50		
		Trapp - 3		
		Mittelman - 5		
		Meyer - 4		
		Trapp - 3	136.00	
		28	201.00	

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

AFFIDAVIT OF
SERVICE
BY MAIL

Darryl Dreyer

02-25.

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

Patricia A. Corsetti, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside in New Windsor, Orange County, N. Y.

That on the 26th day of April, 2002, I compared the 65 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

____ day of _____, 20____.

Notary Public

DREYER, DARRYL

MR. TORLEY: Request for 6 ft. rear yard variance for existing deck at 353 Nina Street in R-4 zone.

Mr. Darryl Dreyer appeared before the board for this proposal.

MR. DREYER: I have photographs of the deck, that's the existing deck from many angles.

MR. KANE: How long has the deck been up?

MR. DREYER: Couple months.

MR. TORLEY: Very nice deck.

MR. DREYER: Gorgeous deck.

MR. KANE: Creating of any water hazards?

MR. DREYER: No.

MR. KANE: Deck is similar to other decks in your neighborhood?

MR. DREYER: I think it's nicer but--

MR. TORLEY: And you're sure of your measurements on this? The deck is not plain, there's a step out on the deck?

MR. DREYER: The deck is a second floor deck of a high ranch so--

MR. TORLEY: The back of the deck is not a one phase, it looks like?

MR. DREYER: Yeah, the deck has a two foot bump-out for a barbecue.

MR. TORLEY: That's where you measured your distance from?

MR. DREYER: Yes, I gave, it's 34 feet to the bump-out

and 36 feet to the rest of the deck, that's why I'm asking for 6 feet.

MR. TORLEY: Be careful of your measurements to give us extra.

MR. DREYER: Okay. I'm pretty accurate, I believe.

MR. TORLEY: As long as we're going by what you say so--

MR. DREYER: Sure, no problem.

MR. TORLEY: This is not causing any drainage problems?

MR. DREYER: No, sir.

MR. TORLEY: Not built over any sewers, water lines?

MR. DREYER: No.

MR. KANE: No complaints formally or informally?

MR. DREYER: No, I replaced an existing deck in the same spot.

MR. TORLEY: Just a little further out.

MR. DREYER: I believe quite frankly that the prior owners that did the deck did not properly disclose their setbacks. I bumped it out an extra two feet, I definitely did not make the deck 6 feet larger. Whoever got the C.O. prior to me I do not believe was forthright with their dimensions.

MR. TORLEY: Or at that time, the decks, may have been a very long time ago.

MR. DREYER: Or maybe the setbacks were different at that point in time, one or the other.

MR. TORLEY: So obviously, it would be economically unfeasible to modify the deck to fit it within the--

MR. DREYER: Certainly, yes.

MR. TORLEY: That would be impractical if you did not have a deck, it would be a safety hazard for your house? You have sliding glass doors?

MR. DREYER: Yes.

MR. TORLEY: Second floor.

MR. KANE: Accept a motion?

MR. TORLEY: Yes, sir.

MR. KANE: I move that we set up Darryl Dreyer for a public hearing on his requested variance at 353 Nina Street.

MR. REIS: Second it.

ROLL CALL

MR. MCDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

April 17th, 2002

65

Darryl Dreyer
353 Nina Street
New Windsor, NY 12553

Re: 73-3-3

Dear Mr. Dreyer:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/srr
Attachments

CC: Pat Corsetti, ZBA

72-7-26 ✓

Robert & Mary Volz
323 Nina Street
New Windsor, NY 12553

75-10-6 ✓

Konstantinos & Margarita Ioannidis
87 Keats Drive
New Windsor, NY 12553

75-10-7 ✓

David & Migdalia Ramos
85 Keats Drive
New Windsor, NY 12553

75-10-8 ✓

Leo & Sandra Talbot
83 Keats Drive
New Windsor, NY 12553

73-5-8 ✓

Steven Weissman
PO Box 4135
New Windsor, NY 12553

4-1-31.2 ✓
Otto Scheible
C/o Newburgh Packing
677 Little Britain Road
New Windsor, NY 12553

73-1-7 ✓
Thomas & Josephine Cuti
510 MacNary Road
New Windsor, NY 12553

73-1-8 ✓
Francis & Marie Leissler
508 MacNary Road
New Windsor, NY 12553

73-1-9 ✓
Richard & Maureen Kelly
506 MacNary Road
New Windsor, NY 12553

73-1-10 ✓
Richard Horak
504 MacNary Road
New Windsor, NY 12553

73-1-11 ✓
Henry Pizzonia & Frances Fox
502 MacNary Road
New Windsor, NY 12553

73-1-12 ✓
Michael & Tammy O'Hara
421 Philo Street
New Windsor, NY 12553

73-1-13 ✓
Dominick & Melissa Pileggi
423 Philo Street
New Windsor, NY 12553

73-1-14 ✓
Patrick & Mary Ann McCarthy
425 Philo Street
New Windsor, NY 12553

73-1-15 ✓
Michael & Trude Antonacci
609 Sim Street
New Windsor, NY 12553

73-1-16 ✓
Michael Restuccia
30 Sloan Court
Wallkill, NY 12589

73-2-1 ✓
Keith & Evelyn Aigner
364 Nina Street
New Windsor, NY 12553

73-2-2 ✓
Jan & Angelina Rostek
362 Nina Street
New Windsor, NY 12553

72-2-3 ✓
Thomas & Margaret Organ
360 Nina Street
New Windsor, NY 12553

73-2-4 ✓
Carol Probst
358 Nina Street
New Windsor, NY 12553

73-2-5 ✓
Thomas Jr. & Kathleen Griffin
356 Nina Street
New Windsor, NY 12553

73-2-6 ✓
Carmine & Frances Lepora
354 Nina Street
New Windsor, NY 12553

73-2-7 ✓
Robert & Margaret Mullins
352 Nina Street
New Windsor, NY 12553

73-2-8 ✓
Frank & Angela Carlone
350 Nina Street
New Windsor, NY 12553

73-2-9 ✓
John & Kathryn McCrossen
348 Nina Street
New Windsor, NY 12553

73-2-10 & 73-2-11 ✓
Isidoro & Rosaria Macchiarella
346 Nina Street
New Windsor, NY 12553

73-2-12 ✓
Richard & Robyn & Richard Sr. &
Deborah Ricciardi
344 Nina Street
New Windsor, NY 12553

73-2-15 ✓
William Kostenblatt
338 Nina Street
New Windsor, NY 12553

73-2-16 ✓
Brendan DeMilt
336 Nina Street
New Windsor, NY 12553

73-2-17 ✓
Marilyn Mutinelli
334 Nina Street
New Windsor, NY 12553

73-2-18 ✓
Elliot & Vicki Cohen
332 Nina Street
New Windsor, NY 12553

73-2-19 ✓
Francis & Geraldine Nicolosi
330 Nina Street
New Windsor, NY 12553

73-2-20 ✓
Thomas & Joanne Farrell
328 Nina Street
New Windsor, NY 12553

73-2-21 ✓
Allen & Stephanie Mittelman
326 Nina Street
New Windsor, NY 12553

73-3-1 ✓
Henry Cruz
357 Nina Street
New Windsor, NY 12553

73-3-2 ✓
Myron & Phyllis Bernstein
746 Hewitt Lane
New Windsor, NY 12553

73-3-4 ✓
Michael Sr. & Sandra Muller
351 Nina Street
New Windsor, NY 12553

73-3-5 ✓
Richard & Marilene Baskind
349 Nina Street
New Windsor, NY 12553

73-3-6 ✓
Fred & Annette Kaiser
347 Nina Street
New Windsor, NY 12553

73-3-7 ✓
Patrick Murtagh & Lisa Izzo
345 Nina Street
New Windsor, NY 12553

73-3-8 ✓
Peter & Irene Malaszuk
343 Nina Street
New Windsor, NY 12553

73-3-9 ✓
Joseph Jr. & Patricia Grimm
437 Philo Street
New Windsor, NY 12553

73-3-10 ✓
Alfred & Maureen Cestari
435 Philo Street
New Windsor, NY 12553

73-3-11 ✓
Joseph & Elizabeth Como
433 Philo Street
New Windsor, NY 12553

73-3-12 ✓
Bankers Trust Co. of CA Trustee for
Vendee Mtg Trust
C/o Countywide Home Loans
1800 Tapo Canyon Road MSN SV-103
Simi Valley, CA 93063

73-3-13 ✓
John & Mary Guarracino
429 Philo Street
New Windsor, NY 12553

73-3-14 ✓
Kenneth & Jeanne Martin
427 Philo Street
New Windsor, NY 12553

73-4-1 ✓
Bob & Rosemary Hersh
444 Philo Street
New Windsor, NY 12553

73-4-2 ✓
Thomas & Kathleen Finneran
446 Philo Street
New Windsor, NY 12553

73-4-3 ✓
William Corcoran
448 Philo Street
New Windsor, NY 12553

73-4-4 ✓
Christopher & Elke Spencer
450 Philo Street
New Windsor, NY 12553

73-4-5 ✓
Kevin & Leslie Hofving
452 Philo Street
New Windsor, NY 12553

73-4-6 ✓
Thomas Trinajstic
454 Philo Street
New Windsor, NY 12553

73-4-7 ✓
Richard & Laura Graziano
456 Philo Street
New Windsor, NY 12553

73-4-8 ✓
Donald & Diana McKeon
339 Nina Street
New Windsor, NY 12553

73-4-9 ✓
Ursula Roberts
337 Nina Street
New Windsor, NY 12553

73-4-10 ✓
Samuel Martinez Jr.
335 Nina Street
New Windsor, NY 12553

73-4-11 ✓
Joseph Hafner & Hyon Lemons
333 Nina Street
New Windsor, NY 12553

73-4-12 ✓
Daniel Peralta
331 Nina Street
New Windsor, NY 12553

73-4-13 ✓
Brian & Diane Picerno
329 Nina Street
New Windsor, NY 12553

73-4-14 ✓
John & Catherine Canale
327 Nina Street
New Windsor, NY 12553

73-7-22 ✓
Richard & Rose Linet
438 Philo Street
New Windsor, NY 12553

73-7-23 ✓
Matthew & Carla Weiss
440 Philo Street
New Windsor, NY 12553

73-7-24 ✓
Frank & Deborah Prego
442 Philo Street
New Windsor, NY 12553

73-7-25 ✓
Steven Dixon
325 Nina Street
New Windsor, NY 12553

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE

02-25.
Date: 4-16-02

I. Applicant Information:

- (a) Darryl Dreyer (same)
(Name, address and phone of Applicant) (Owner)
(b) 353 Nina St. NW, NY 12553
(Name, address and phone of purchaser or lessee)
(c) _____
(Name, address and phone of attorney)
(d) _____
(Name, address and phone of contractor/engineer/architect/surveyor)

II. Application type:

- ☐ Use Variance
☒ Area Variance

- ☐ Sign Variance
☐ Interpretation

✓ III. Property Information:

- (a) R-4 353 Nina St. NW, NY 12553 79-3-3 .23 acre
(Zone) (Address of Property in Question) (S-B-L) (Lot size)
✓ (b) What other zones lie within 500 feet? _____
(c) Is pending sale or lease subject to ZBA approval of this Application? Yes
(d) When was property purchased by present owner? 5/98.
(e) Has property been subdivided previously? NO.
✓ (f) Has property been subject of variance previously? _____. If so, when? _____. *not to my knowledge*
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO.
(h) Is there any outside storage at the property now or is any proposed? NO.

IV. Use Variance. N/A.

- (a) Use Variance requested from New Windsor Zoning Local Law,
Section _____, Table of _____ Regs., Col. _____.

(Describe proposal) _____

(b) The legal standard for a "Use" Variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

✓ V. Area Variance:

(a) Area variance requested from New Windsor Zoning Local Law,
Section 48-12, Table of Use/Bulk Regs., Col. 6.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.	<u>40 Feet</u>	<u>34 Feet</u>
Reqd. Street Frontage*		<u>6 Feet</u>
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** Non-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe

why you believe the ZBA should grant your application for an area variance:

I replaced an existing deck which was increased by 2'.
~~Set~~ Set back is 34' to the Bar-B-Q ramp-out and 36' to
the remainder. The request is minimal and the deck
looks great, enhancing the value of the property and it
VI. Sign Variance: N/A. also ~~also~~ enhances the neighborhood.

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign (s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and free-standing signs? _____.

VII. Interpretation. N/A.

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____.

- (b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The deck is safely built, and is finished up
a water-seal to ~~to~~ look very nice to all
that can see it.

IX. Attachments required:

- ☐ Copy of referral from Bldg./Zoning Inspector or Planning Board.
- ☐ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A. Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.⁰⁰, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 4/22/02

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X. *David J. Meyer*
(Applicant)

Sworn to before me this

25th day of April, 2002.

XI. ZBA Action: *Patricia A. Corsetti*

(a) Public Hearing date: _____.

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2005

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 4/9/02

APPLICANT: Darryl Dreyer
353 Nina Street
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing rear deck

LOCATED AT: 353 Nina Street

ZONE: R-4 Sec/Blk/ Lot: 73-3-3

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing rear deck does not meet minimum 40ft rear yard set-back.


BUILDING INSPECTOR

PERMITTED 40ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G-8

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

34ft

6ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

APR 08 2002

FOR OFFICE USE ONLY:

Building Permit #: PA 2002-279

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

X Owner of Premises Darryl & Sarah Dreyer

X Address 353 Nina St. NW, NY 12553 Phone # 569-9174

Mailing Address Same Fax # 562-9025

Name of Architect W- 562-9020

Address _____ Phone Pager 601-0443

X Name of Contractor B & J Fencing

Address Tighe Ave. Newburgh, NY 12550 Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of Arena St.
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ is property a flood zone? Y _____ N _____

X 3. Tax Map Description: Section 73 Block 3 Lot 3

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? _____
replaced existing deck

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50.00

part of 3575

PAID

4.8.02
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4685 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

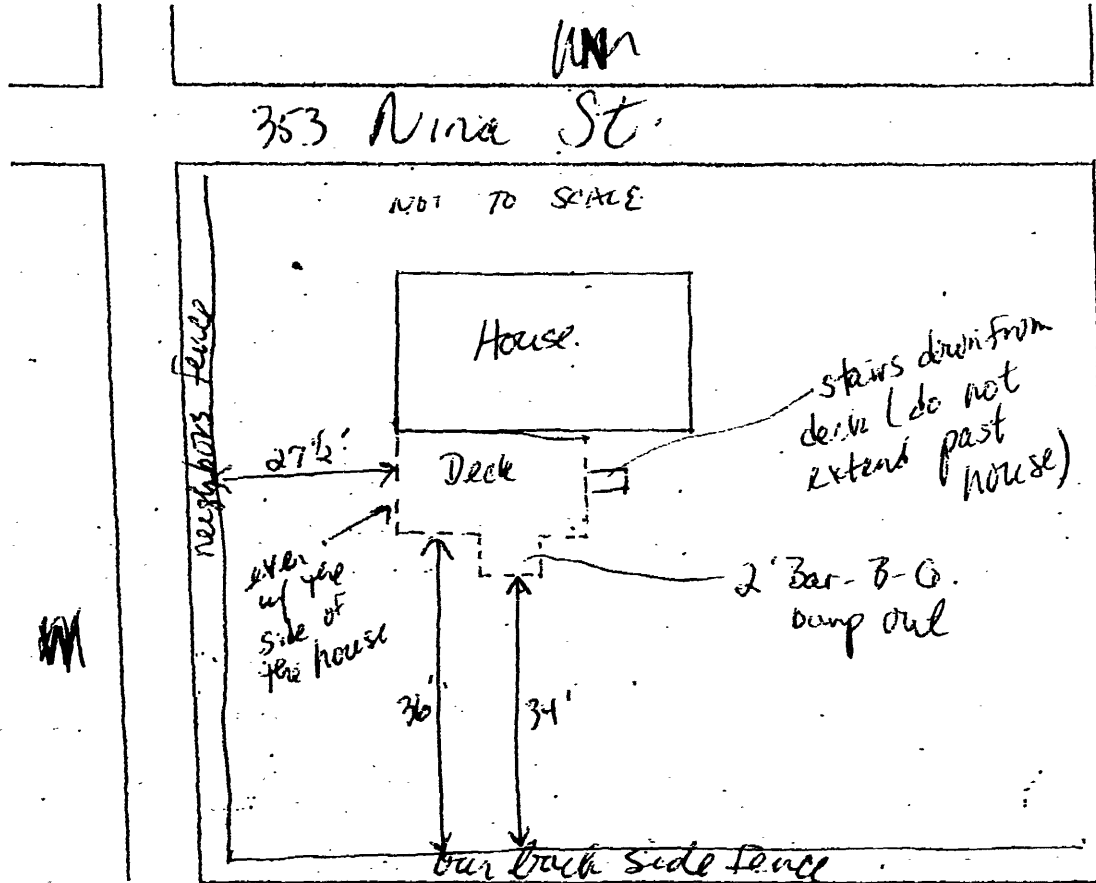
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

353 Anna St. NW, NY 12553
353 Anna St. NW NY

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



181

NINA

SIN

100
STREET

STREET

100
STREET

WOODWIND

